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## FACSIMILE TRANSMITTAL SHEET

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Date: October 7, 2005

To:

**Commissioner for Patents** 

From:

Christopher S. Daly, Esq.

Examiner:

Michael A. Brown

Group Art:

3764

Company:

U.S. PTO

Facsimile Number: 571-273-8300

Telephone Number:

#### MESSAGE

RE:

U.S. Patent Application of John M. McBean, et al.

Entitled:

POWERED ORTHOTIC DEVICE

Filed on:

November 21, 2003

U.S. Appl. No.:

10/718,913

Our Ref. No.:

MIT-152AUS

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THANK YOU.

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PTO/SB/21 (09-04)
Approved for use through 07/31/2008. OMB 0851-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number. Application Number 10/718,913 Filing Date November 21, 2003 TRANSMITTAL First Named Inventor John M. McBean FORM Art Unit 3764 Examiner Name Michael A. Brown (to be used for all correspondence after initial tiling) Attorney Docket Number MIT-152AUS 13 Total Number of Pages in This Submission **ENCLOSURES** (Check all that apply) After Allowance Communication to TC Drawing(s) Fee Transmittal Form Appeal Communication to Board Licensing-related Papers Fee Attached of Appeals and Interferences Petition Appeal Communication to TC V Amendment/Reply Appeal Notice, Brief, Reply Brief Petition to Convert to a Provisional Application After Final Proprietary Information Power of Attorney, Revocation Affidavits/declaration(s) Change of Correspondence Address Status Letter Other Enclosure(s) (please Identify **Extension of Time Request** Terminal Disdaimer bekaw): Express Abandonment Request Request for Refund Information Disclosure Statement CD, Number of CD(s) Certified Copy of Priority Landscape Table on CD Document(s) Reply to Missing Parts/ Remarks Incomplete Application In the event a petition for extension of time is required by this paper and not Reply to Missing Parts otherwise provided, such petition is hereby made and authorization is under 37 CFR 1.52 ar 1.53 provided herewith to charge deposit account No. 50-0845 for the cost of such extension SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT Firm Name USPTO Customer No. 022494 Mofford & Durkee, LLP Dal Crowle Signature Printed name Christopher S. Daly Reg. No. Date 37,303 CERTIFICATE OF TRANSMISSION/MAILING I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below Signature Date Mary H. White 05 Typed or printed name

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (end by the USPTO to process) an application. Confidentially is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patant and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450, DO NOT SENIO FEES OR COMPLETED FORMS TO THIS ADDRESS, SENIO TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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PATENT

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No.

10/718,913

Confirmation No.: 2397

Applicant

John M. McBean, et al.

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Filed

: November 21, 2003

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Examiner

: Michael A. Brown

OCT 07 2005

Docket No. : MIT-152AUS

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I hereby certify that this correspondence is being transmitted via facsimile to Commissioner for Patents at 703-872-9306 or deposited with the United States Postal Service with sufficient postage as first-class mail in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450 on the date set forth below.

10/7/05 Date of Signature

and Mail Deposit

By: Mary W. White

#### RESPONSE

Mail Stop Amendment Commissioner for Patents P. O. Box 1450 Alexandria, VA 22313-1450

Dear Sir:

In response to the Official Action dated July 12, 2005, please amend the above-identified patent application as follows.

Amendments to the Claims are reflected in the listing of claims which begins on page 2 of this paper.

Remarks begin on page 6 of this paper.